

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Image

APPLICANT(S): Jiang *et al.*

SERIAL NO.: 09/975,776

EXAMINER: Frederick F. Krass

FILING DATE: October 10, 2001

ART UNIT: 1614

FOR: PHARMACEUTICAL COMPOSITIONS CONTAINING β -LAPACHONE,
OR DERIVATIVES OR ANALOGS THEREOF, AND METHODS OF USING
SAME

Mail Stop IDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited Reference B13-17; and C26-34;
4. Check in the amount of \$180.00 (#17572); and
5. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 22596-531. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Matthew Parvo Reg No. 59,572
By: Ivor R. Elrifi, Reg. No. 39,529

Attorney for Applicants
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Date: December 1, 2003

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by

• APPLICANTS: Jiang, et al.
U.S.S.N.: 09/975,776

35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 22596-531.

Respectfully submitted,

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for:

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Date: December 1, 2003

TRA 1853803v1

Please type a plus sign (+) in this box



Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	09/975,776
Filing Date	10/10/2001
First Named Inventor	Jiang
Group Art Unit	1614
Examiner Name	Frederick F. Krass
Attorney Docket Number	22596-531

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B13	WO 03/090710	Case Western Reserve University	11/06/03	
	B14	WO 01/64214	The University of British Columbia	09/07/01	
	B15	WO 96/11005	Leon T. Atlas	04/18/96	
	B16	WO 97/31936	Wisconsin Alumni Research Foundation	09/04/97	
	B17	EP 0184990	Ciba Geigy AG (English Language Abstract Only)	06/18/86	

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C26	Nasongkla et al., Pharm Res. 20(10):1626-1633, 2003.
	C27	Stella and Rajewski, Pharm Res. 14(5):556-567, 1997.
	C28	Szejtli, Chem Rev. 98(5):1743-1754, 1998.
	C29	Loftsson and Brewster, J Pharm Sci. 85(10):1017-1025, 1996.
	C30	Rajewski and Stella, J Pharm Sci. 85(11):1142-1169, 1996.
	C31	Irie and Uekama, J Pharm Sci. 86(2):147-162, 1997.
	C32	Rekharsky and Inoue, Chem Rev. 98(5):1875-1918, 1998.
	C33	Wuerzberger et al., Cancer Res. 58(9):1876-1885, 1998.
	C34	Tagliarino et al., J Biol Chem. 276(22):19150-19159, 2001.

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.